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8

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11

12 JESUS TACORDA and HELEN TACORDA,

13 Plaintiffs,

14 v.

15 ZIMMER, INC. et al.

16 Defendants.  
17  
18  
19

NO. C 12-02576 EDL

**[PROPOSED] ORDER GRANTING  
PLAINTIFFS' MOTION TO REMAND  
CASE TO STATE COURT**

Date: July 31, 2012

Time: 9:00 a.m.

Dept.: Courtroom E (15th Floor)

Magistrate Judge: Hon. Elizabeth D. Laporte

Complaint filed: March 23, 2012

Trial Date: unassigned

20  
21 On July 31, 2012 at or around 9:00 a.m., plaintiffs Jesus Tacorda and Helen Tacorda's  
22 Motion to Remand Case to State Court came on for hearing before Magistrate Judge Hon. Elizabeth  
23 D. Laporte in Courtroom E of the above-captioned Court.

24 The Court, having read the papers and considered the law and the facts, orders as follows:

25 The Court finds that defendant McKesson Corporation has its principal place of business in  
26 California and is a citizen of the State of California, as are the plaintiffs. Therefore this Court no  
27 longer has subject matter jurisdiction over this case.

28 Plaintiffs' motion to remand the above-captioned case to state court is GRANTED.

1 IT IS SO ORDERED.

2 DATED: June \_\_, 2012

3 \_\_\_\_\_  
Magistrate Judge Hon. Elizabeth D. Laporte

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**PROOF OF SERVICE**

I am employed in the City and County of San Francisco, State of California. I am over 18 years of age and not a party to this action. My business address is The Veen Firm, P.C., 711 Van Ness Avenue, Suite 220, San Francisco, California 94102.

On the date below I served a true copy of the following document(s):

**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION TO REMAND  
CASE TO STATE COURT**

on the interested parties to said action by the following means:

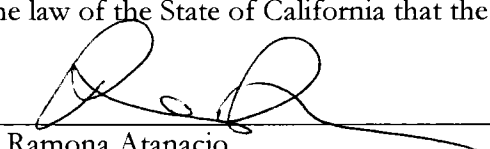
- ☐ **(BY MAIL)** By placing a true copy of the above, enclosed in a sealed envelope with appropriate postage, for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
- ☐ **(BY OVERNIGHT DELIVERY)** By placing a true copy of the above, enclosed in a sealed envelope with delivery charges to be billed to The Veen Firm, P.C., for delivery by Federal Express to the address(es) shown below.
- ☐ **(BY FACSIMILE TRANSMISSION)** By transmitting a true copy of the above by facsimile transmission from facsimile number (415) 771-5845 to the attorney(s) or party(ies) shown below.
- ☐ **(BY MESSENGER)** By placing a true copy of the above in a sealed envelope and by giving said envelope to an employee of Western Messenger Service for guaranteed, same-day delivery to the address(es) shown below.
- ☐ **(BY HAND DELIVERY)** By personal delivery of a true copy of the above to the attorneys or parties shown below
- ☒ **(BY E-MAIL or ELECTRONIC TRANSMISSION)** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed below. I did not receive, within a reasonable period of time, after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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Gloria Lee, Esq.  
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McKesson Corp.  
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I declare under penalty of perjury under the law of the State of California that the foregoing is true and correct.

DATED: August 20, 2012

  
Ramona Atanacio